



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Image

AF #
1647

ATTY.'S DOCKET: EIS-SCHWARTZ=21

In re Application of:) Conf. No.: 1157
Michal EISENBACH-SCHWARTZ et al) Art Unit: 1647
Appln. No.: 09/893,344) Examiner: C. Nichols
Filed: June 28, 2001) Washington, D.C.
For: USE OF POLY-GLU, TYR AND T CELLS) February 2, 2004
TREATED THEREWITH FOR)
NEUROPROTECTIVE THERAPY)

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated September 2, 2003, of the Primary Examiner. The claims appealed are claims 32-35, 37, 38, 40, 42, 43, 48, 50, 53, 54, 56 and 58-60.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.
 XXX The fee has been calculated as shown below:
 XXX \$330.00
 \$165.00 (small entity)
 Not required (fee paid in prior appeal)
 XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity		Other Than Small Entity	
Response Filed Within		Response Filed Within	
[]	First - \$ 55.00	[]	First - \$ 110.00
[]	Second - \$210.00	[X]	Second - \$ 420.00
[]	Third - \$475.00	[]	Third - \$ 950.00
[]	Fourth - \$740.00	[]	Fourth - \$1480.00

month after time period set

[] Less fees (\$_____) already paid for ____ months extension of time on ____.

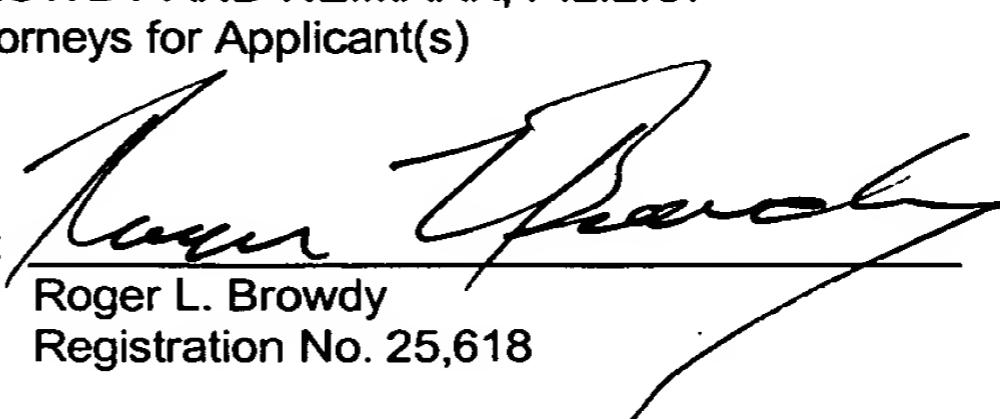
A check in the amount of \$_____ is attached. (Check No. _____)
 XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 750.00.
 XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

02/04/2004 EFLORES 00000118 09893344

01 FC:1401 330.00 0P
02 FC:1252 420.00 0P

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
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By:


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